

January 27, 2009

**Update for the Informed Consent Information for HIV-related Testing
Rulemaking**

Arizona Administrative Code (A.A.C.), Title 9, Chapter 6, Article 10

A.R.S. § 36-663, as amended by Laws 2008, Chapter 13, removes requirements for specific written or oral consent before a person orders an HIV-related test for an individual, and, instead, specifies that before a health care provider orders an HIV-related test for an individual, the health care provider is required to “ensure that oral or written informed consent information is provided” to the individual. The statute also defines “informed consent information.”

The Department was amending the rules in 9 A.A.C. 6, Article 10, to implement A.R.S. § 36-663, as amended by Laws 2008, Chapter 13, and had prepared a Notice of Proposed Rulemaking.

Due to the [Governor’s Memorandum](#), Regulatory Review Plan, dated January 22, 2009, and published in the *Arizona Administrative Register*, 15 A.A.R. 4, page 241, all action on this rulemaking has been suspended until after April 30, 2009.

Please contact Ruthann Smejkal, Rules Analyst for the Department, by phone at 602-364-1230 or by e-mail at smejkar@azdhs.gov if you have any questions regarding this rulemaking project.